

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOHN M. KIVLIN,

Plaintiff,

V.

CITY OF BELLEVUE, A municipal corporation, and PATRICK C. ARPIN, and CARL KLEINKNECHT, JOHN DOES NOS. 1 to 2 in their individual and official capacities,

Defendants.

No. 2:20-cv-00790 RSM

**JOINT STIPULATED MOTION AND
ORDER AMENDING
CASE SCHEDULE**

NOTED FOR: 8/23/2021

COME NOW BOTH PARTIES, Plaintiff John Kivlin and DEFENDANT CITY OF BELLEUVE, and DEFENDANTS PATRICK C. ARPIN, AND CARL KLEINKNECHT, through their respective attorneys of record, and move this Court for an Order amending the March 24, 2021 Schedule entered in the above-captioned matter

J. STIPULATION

1. This matter is currently set for a bench trial January 18, 2022. Defendants filed a motion for summary judgment that has been fully briefed and awaits action by the Court. It was noted for hearing on Friday, May 14, 2021.

2. The parties agreed to, and the Court ordered, an extension of pending discovery and other pre-trial pleadings to avoid expenditure of resources prior to the ruling on the dispositive motion. Discovery cut-off was set for September 20, 2021. Dkt No.14.

3. As of this date, the Court has not ruled on the dispositive motion; Plaintiff's rebuttal expert disclosure deadline is presently August 23, 2021, thirty days following the date Defendants disclosed their expert report, on July 22, 2021 .

4. The parties agree to permit Plaintiff an additional two weeks, until close of business, September 7, 2021 due to the Labor Day holiday, for disclosure of any rebuttal expert and opinion subject to the following :

a. Both parties agree that the discovery cut-off should be amended to reflect a cut-off date of November 19, 2021 as opposed to September 20, 2021.

b. Both parties agree that any expert disclosed by either party may amend their written report to include any additional findings consistent with the scope of their original disclosure following completion of discovery and no later than December 3, 2021

c. This order may be superseded by any Order of the Court addressing the merits of Defendants' Motion for Summary Judgment.

Respectfully submitted this 23rd day of August 2021.

/s/Patricia S . Rose

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**STIPULATION AND ORDER ON
AMENDMENT OF CASE SCHEDULE-2
2:20-cv-00790 RSM**

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5 /s/Jayne L. Freeman

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14 **II. ORDER**

15 The Court, having reviewed the above stipulation, and being fully advised in the
16 premises, does order that a modified case schedule be issued forthwith reflecting the
17 dates identified by the parties as follows:

18 Rebuttal Expert Deadline- 09/07/2021
19 Discovery Cut-off 11/19/2021
20 Supplemented Expert Disclosure 12/03/2021
21 (if any)

22 DATED this 1st Day of September, 2021.

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25 The Honorable Ricardo S Martinez
26 Chief United States District Judge